

Element 1 — State and Local Level Equal Opportunity Officers
(29 C.F.R. §§38.23 through 38.28)

PART A

1. Equal Opportunity Officer Job Requirements and Responsibilities

State and Local Level Workforce Innovation and Opportunity Act (WIOA) Equal Opportunity Officers' (EO Officer) position descriptions and job responsibilities shall comply with the requirements of the WIOA. The State of Hawaii (Exhibit A) and the four Counties shall ensure compliance with this requirement of the WIOA—a sample of a county position description is attached (Exhibit B). The EO Officer position shall be restricted to only those applicants possessing the specialized knowledge and experience required by 29 C.F.R. §38.23-28.

The EO Officer must be a senior level employee of the recipient who has the knowledge, skills and abilities necessary to fulfill the responsibilities competently. Depending upon the size of the recipient, the size of the recipient's WIOA Title I-financially assisted programs or activities, and the number of applicants, registrants, and participants served by the recipient, the EO Officer may, or may not, be assigned other duties. However, he or she must not have other responsibilities or activities that create a conflict or the appearance of a conflict with the responsibilities of an EO Officer.

Recipient means entity to which financial assistance under Title I of WIOA is extended, directly from the Department of Labor and Industrial Relations (DLIR) or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient). The term excludes any ultimate beneficiary of the WIOA Title I-financially assisted program or activity (see full definition at 29 C.F.R. §38.4).

The duties of an EO Officer shall include, but not be limited to:

- a. Serving as the recipient's liaison with the Civil Rights Center, U.S. Department of Labor (U.S. DOL);
- b. Monitoring and investigating the recipient's activities, and the activities of the entities that receive WIOA Title I-financial assistance from the recipient, to make sure that the recipient and its subrecipients are not violating their nondiscrimination and equal opportunity obligations under WIOA Title I, which includes monitoring the collection of data required to ensure compliance with the nondiscrimination and equal opportunity requirements of WIOA;
- c. Reviewing the recipient's written policies to make sure that those policies are nondiscriminatory;
- d. Developing and publishing the recipient's procedures for processing discrimination complaints including tracking the discrimination

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complaints filed against the recipient, developing procedures for investigating and resolving discrimination complaints filed against the recipient, making sure that those procedures are followed, and making available to the public, in appropriate languages and formats, the procedures for filing a complaint;

- e. EO Officers are required to report directly to a senior level employee (such as the Department Head or Chief Executive Officer) about equal opportunity matters.
- f. Undergoing training to maintain competency; and,
- g. If applicable, overseeing the development and implementation of the State's Methods of Administration (MOA).

2. Recipient obligations regarding its Equal Opportunity Officer.

- a. Making the EO Officer's name, position title, address, and telephone number (voice and TDD/TTY) public;
- b. Ensuring that the EO Officer's identity and contact information appears on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs;
- c. Assigning sufficient authority, staff, and resources to the EO Officer, and support of top management, to ensure compliance with the nondiscrimination and equal opportunity provisions of WIOA and 29 C.F.R. §38.26; and
- d. Ensuring that the EO Officer and the EO Officer's staff if applicable are afforded the opportunity to receive (at the recipient's expense) the training necessary and appropriate to maintain competency.

3. The State Level Equal Opportunity Officer

The Governor appointed the DLIR for WIOA and workforce development matters. The State EO Officer is the Civil Rights and Equal Opportunity Officer in the DLIR Director's Office.

The following individual was appointed as the State EO Officer for WIOA. This individual shall provide oversight and guidance to the local level EO Officers and recipients and comply with the requirements of 29 C.F.R. § 38.25 for the State of Hawaii. The State EO Officer is responsible for assisting the Governor with the requirements of 29 C.F.R. § 38.54 (Methods of Administration). The position oversees the Equal Opportunity compliance of the State Workforce Agencies, including the Unemployment Insurance (UI) program and the Title I entities (Workforce Development Division, Workforce Development Council) for the State of Hawaii.

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The contact information for the State EO Officer is:

Aadel Khandaker, Civil Rights and Equal Opportunity Officer
Department of Labor and Industrial Relations
830 Punchbowl Street, Room 321
Honolulu, HI 96813
Phone: (808) 586-8148
Fax: (808) 586-9099
TDD/TTY: Dial 711 then ask for (808) 586-8866
Email: aadel.khandaker@hawaii.gov

4. The Local Level Equal Opportunity Officers

The Mayor of each county designates its WIOA EO Officer for his/her county. The following individuals are designated as local level Equal Opportunity Officers for the WIOA program and are responsible for carrying out EO Officer duties (as listed in section 1, above) for their respective counties.

LOCAL LEVEL EO OFFICERS LIST

City and County of Honolulu:

Denise L. Tsukayama, CAAP, Equal Opportunity
Officer/ADA Coordinator
650 South King Street, 10th Floor
Honolulu, HI 96813
Phone: (808) 768-8505
TDD/ TTY: 711
Fax: (808) 768-8490
E-mail: dtsukayama@honolulu.gov

County of Maui:

Ralph Thomas
Equal Employment Opportunity Specialist
200 S. High Street, 9th Floor
Wailuku, Maui HI 96793
Phone: (808) 463-3168
TDD/TTY: Dial 711 then ask for (808)
270-6292
E-mail: Ralph.Thomas@co.maui.hi.us

County of Hawaii:

Teri Spinola-Campbell
Equal Opportunity Officer/ADA Coordinator
101 Pauahi St, Suite 2
Hilo, HI 96720-4224
Phone: (808) 961-8361
TDD/TTY: (808) 961-8619
Fax: (808) 961-8617
E-mail: teri.spinola-campbell@hawaiicounty.gov

County of Kauai:

Linda Nulan-Ames EEO/ADA Coordinator
4444 Rice Street
Lihue, HI 96766
Phone: (808) 241 – 4924 V/TRS
TDD/TTY: (808) 241-4924
Fax: (808) 241 - 6877
E-mail: lnuland@kauai.gov

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5. State Program Coverage

The State and local level EO Officers for the City and County of Honolulu, Maui, Hawaii, and Oahu will work together to ensure that coverage is provided to those entities participating in this system. The Equal Opportunity positions shall serve as a point of contact and fulfill the requirements of Section 188 of the WIOA program.

6. Contact Information

The EO Officer's contact information is published in various publications, which includes, but is not limited to, DLIR's website, bulletin boards, brochures, and department directives and policies. (See Element 2).

Pertinent information is made available to applicants, registrants, eligible applicants/registrants for programs or services; applicants for employment; WIOA Title I beneficiaries; and interested members of the public through the One-Stop Centers and offices.

7. Training

Required training shall be the responsibility of each County to ensure that the designated local level EO Officer is provided training to maintain competency. Training for the State Level EO Officer shall be determined by the Director, DLIR. Training and periodic retraining for departmental employees is provided centrally through the State Department of Human Resources Development (Exhibit C) as well as DLIR's addendum to that statewide policy (Exhibit D).

The State EO Officer may partner with each of the local level EO Officers to provide statewide training in discrimination issues. Local level EO Officers are required to attend, and if necessary, assist with training in their jurisdictions. Monitoring shall include a review of training for local level EO Officers to ensure compliance.

Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request to individuals with
disabilities.

TDD/TTY: Dial 711 then ask for (808) 586-8866

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PART B

Supporting Documentation

- Exhibit A Position Description of State Equal Opportunity Officer (Civil Rights and Equal Opportunity Officer in the DLIR Director's Office)
- Exhibit B Representative Sample Position Description for County Equal Opportunity Officer
- Exhibit C State of Hawaii Department of Human Resources Development Discrimination/Harassment-Free Workplace Policy
- Exhibit D DLIR Addendum to State of Hawaii Department of Human Resources Development Discrimination/Harassment-Free Workplace Policy